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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

HONEYCUTT, KRISTINA B

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 11/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/668,399	Applicant(s) LU ET AL.	
	Examiner Kristina B. Honeycutt	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 18-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 18-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to amendment filed August 14, 2006.

This action is made **Non-Final**.

2. Claims 1-15, 18-26 remain pending in the case. Claims 1, 10, 18 and 20 are independent claims.

3. The rejections of Claims 1, 2, 6-8, 10, 11, 18 and 20 under 35 U.S.C. 102(e) as being anticipated by Ries et al. (U.S. Pub. No. 20040217985; publication date November 4, 2004; filed July 1, 2002; provisional application filed June 29, 2001) have been withdrawn as necessitated by the amendment.

4. The rejections of Claims 3-5, 12-15, 19 under 35 U.S.C. 103(a) as being unpatentable over Ries in view of Westerman (U.S. Patent 6683986; date of patent January 27, 2004; filed October 28, 1999) have been withdrawn as necessitated by the amendment.

5. The rejection of Claim 9 under 35 U.S.C. 103(a) as being unpatentable over Ries in view of Woodard et al. (U.S. Pub. No. 20020104080; publication date August 1, 2002; filed May 10, 2001; provisional application filed March 29, 2000) has been withdrawn as necessitated by the amendment.

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6. The rejections of Claims 21-25 under 35 U.S.C. 103(a) as being unpatentable over Ries in view of Barrick et al. (U.S. Patent 6625647; date of patent September 23, 2003; filed October 19, 1999; continuation of application filed June 3, 1997) have been withdrawn as necessitated by the amendment.

7. The rejection of Claim 26 under 35 U.S.C. 103(a) as being unpatentable over Ries in view of Barrick in further view of Westerman has been withdrawn as necessitated by the amendment.

Claim Rejections - 35 USC § 112

8. The rejection to Claim 15 for lacking antecedent basis for the limitation "the returned script" has been withdrawn as necessitated by the amendment.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-15, 18-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Martin et al. (U.S. Pub. No. 2003/0036975; publication date February 20, 2003; filed August 2, 2001).

Regarding independent claim 1, Martin discloses a method for creating a web page adapted to automatically reload selected frames of the web page in response to a trigger event, the method comprising:

- defining a target frame within the web page to serve as a work area for performing programmed logic (p.5, para. 59, 60; p.6, para. 61, 62 – as demonstrated in the cited text, a hidden updater frame (target frame) is defined within the webpage and performs updating (programmed logic));
- associating an action with the trigger event, the action having the target frame as a target (p.5, para. 60; p.6, para. 61, 62 – as demonstrated in the cited text, a timer (trigger event) and Boolean flag (action) are associated with the hidden updater frame); and
- associating the programmed logic with the action, the programmed logic being adapted to reload only the selected frames, regardless of a membership of the selected frames in framesets used to create the web page (p.5, para. 59, 60; p.6, para. 61, 62 – as demonstrated in the cited text, the frames within the webpage are updated if the timer runs out and the Boolean flag has been set to true).

Regarding dependent claim 2, Martin discloses a method as claimed in claim 1

wherein:

- defining the target frame comprises defining a named frame with a static source in a frameset of the web page (p.5, para. 59, 60; p.6, para. 61, 62 – as demonstrated in the cited text, the hidden updater frame is named Updater and is hidden from the user).

Regarding dependent claim 3, Martin discloses a method as claimed in claim 2

wherein defining the named frame comprises defining the target frame as a frame having a null dimension (p.5, para. 59, 60 – as demonstrated in the cited text, the hidden updater frame is hidden from the user so it has a null dimension).

Regarding dependent claim 4, Martin discloses a method as claimed in claim 3

wherein defining the named frame comprises defining a frame of 0 rows and 0 columns at an edge of the web page (p.5, para. 59, 60 – as demonstrated in the cited text, the hidden updater frame is hidden so it has 0 rows and 0 columns).

Regarding dependent claim 5, Martin discloses a method as claimed in claim 3

wherein defining the frame further comprises using a first frameset tag in the web page to partition the web page into a main frameset comprising a plurality of frames, and the target frame having the null dimension (p.5, para. 59, 60 – as demonstrated in the cited

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text, a frameset allows the webpage to be broken into several areas called frames and the hidden updater frame has a null dimension since its hidden from the user).

Regarding dependent claim 6, Martin discloses a method as claimed in claim 1 further comprising associating the action with programmed logic for reloading only the selected frames of the web page in dependence on a predefined set of conditions (p.5, para. 59, 60; p.6, para. 61, 62 – as demonstrated in the cited text, if the Boolean flag is set to true when the timer runs out, the frames are updated).

Regarding dependent claim 7, Martin discloses a method as claimed in claim 1 further comprising accessing server-side functions in dependence on a predefined set of conditions, wherein the server-side functions return the programmed logic for directing client-side reloading of only the selected frames (Figure. 1; p.5, para. 59, 60; p.6, para. 61, 62 – as demonstrated in the figure and cited text, a client-server system is taught where the database is accessed to update the frames when the Boolean flag is set to true and the timer runs out).

Regarding dependent claim 8, Martin discloses a method as claimed in claim 7 further comprising associating said action with a link to a dynamic uniform resource locator, wherein said dynamic uniform resource locator directs access to said server-side functions (Figure 1; p.5, para. 59, 60; p.6, para. 61, 62 – as demonstrated in the figure

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and cited text, a URL is provided since a webpage is being updated and a database is accessed to retrieve updated information).

Regarding dependent claim 9, Martin discloses a method as claimed in claim 8 wherein providing the link comprises providing a dynamic server page link (Figure 1; p.5, para. 59, 60; p.6, para. 61, 62 – as demonstrated in the figure and cited text, a link is provided to the dynamic database so that information is retrieved from the database when an update has occurred).

Regarding claims 10, 11, 12, 13, the claims reflect the web page for performing the operations of claims 1, 2, 3, 4 respectively and are rejected along the same rationale.

Regarding dependent claim 14, Martin discloses the trigger comprises one of a link and a form that has the script as an action attribute and the target frame as a target attribute (p.5, para. 59, 60; p.6, para. 61, 62 - as demonstrated in the cited text, the timer (trigger) has a script for the time period and updates the frames if the Boolean flag is set to true).

Regarding dependent claim 15, Martin discloses the action attribute comprises a uniform resource locator (url) of a dynamic web page that includes the script and effects the downloading of the dynamic web page to the target frame, and the script with rendering information provides a set of instructions that include instructions for reloading

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only the respective selected frames, regardless of respective membership of the selected frames in framesets of the web page (p.5, para. 59, 60; p.6, para. 61, 62 - as demonstrated in the cited text, a URL is provided since a webpage is being updated and a database is accessed to retrieve updated information).

Regarding independent claim 18, Martin discloses an article comprising:

- a computer readable modulated carrier signal (Figure 1; p.2, para. 27, 28– as demonstrated in the figure and cited text, the clients are connected via a network connection to the Internet); and
- means embedded in the signal for communicating to a client computer, a message containing:
 - rendering information in response to a request for a server-side processing (p.5, para. 59, 60; p.6, para. 61, 62 –as demonstrated in the cited text, the frames are rendered (updated and reloaded) when the timer runs out and the Boolean flag is set to true); and
 - client side code for reloading only selected frames of a web page, regardless of a frameset which the respective frames are members (p.5, para. 59, 60; p.6, para. 61, 62 – as demonstrated in the cited text, the frames within the webpage are updated if the timer runs out and the Boolean flag has been set to true).

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Regarding dependent claim 19, the claim reflects the article for performing the operations of claim 3 and is rejected along the same rationale.

Regarding independent claim 20, the claim reflects the computer readable medium for performing the operations of claim 1 and is rejected along the same rationale.

Regarding dependent claim 21, Martin discloses a computer readable medium as claimed in claim 20 wherein the instructions for instantiating comprise a file written in HTML that comprises a plurality of frameset definitions, including a definition of the target frame (p.5, para. 59, 60 – as demonstrated in the cited text, the HTML webpage is broken into frames and one frame is the hidden updater frame).

Regarding dependent claims 22, 25 and 26, the claims reflect the computer readable medium for performing the operations of claims 1, 2 and 3 respectively and are rejected along the same rationale.

Regarding dependent claim 23, Martin discloses a computer readable medium as claimed in claim 22 wherein the action is an attribute of one of the link and a form, and the event is a corresponding one of a selection of the link, and a submission of the form (p.5, para. 59, 60; p.6, para. 61, 62 - as demonstrated in the cited text, when the timer runs out and the Boolean flag is set to true, the link to the database is selected so that the information is retrieved and updated on the webpage).

Regarding dependent claim 24, Martin discloses the one of the link and the form has a target attribute set to the target frame (p.5, para. 59, 60; p.6, para. 61, 62 - as demonstrated in the cited text, the target attribute is set to the hidden updater frame because when the timer runs out and the Boolean flag is set to true, the webpage is updated).

Response to Arguments

10. Applicant's arguments filed January 18, 2006 with respect to claims 1-15, 18-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristina B. Honeycutt whose telephone number is 571-272-4123. The examiner can normally be reached on 8-5:00 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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PRIMARY EXAMINER